



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

640 – DEPARTMENT OWNED VEHICLES AND PROPERTY

GENERAL ORDER: 2014-114
ISSUED: August 21, 2014

EFFECTIVE: August 21, 2014

REVIEWED/APPROVED BY:
Captain Regina Howard
DATE: August 14, 2014

ACTION: Amends General Order 2014-40 (June 3, 2014)

WILEAG STANDARD(S): 6.1.6

640.00 PURPOSE

The purpose of this standard operating procedure is to ensure that all vehicles owned by the department are properly managed, maintained, and operated to promote operator safety, prolong the vehicle's life and to outline the procedure when damage is sustained to department owned property.

640.05 VEHICLE ASSIGNMENT

A. FACILITIES SERVICES DIVISION RESPONSIBILITIES

1. The Facilities Services Division shall be responsible for record keeping and the administration of the entire fleet.
2. All requests for permanent vehicle assignments or temporary addition of vehicles for extended time periods shall be made on a *Department Memorandum* (form PM-9E) report with substantiating reasons forwarded through the chain of command to the assistant chief of the North Command Bureau.
3. The Facilities Services Division shall be notified immediately of any change in the status of a department vehicle, including but not limited to, physical location, assignment location, state of repair, etc.

B. TAKE HOME VEHICLES

1. The Chief of Police may authorize department members to be assigned a "take home" vehicle. Only the department member assigned the "take home" vehicle is authorized to drive said vehicle. Non-department members are not permitted to ride in the vehicle without the permission of the Chief of Police or designee.
2. Authorized members are allowed to park the department vehicle at their residence. When possible, the vehicle shall be parked in a secure location. While the vehicle is parked at a member's residence or elsewhere, the department will not be responsible for any personal property left in the vehicle that is either stolen or damaged. Members are also responsible for all movable department property that is allowed to remain in an unattended "take home" vehicle.
3. Members shall not drive "take home" vehicles for personal use without the

permission of the Chief of Police or designee. Members shall obtain fuel from a department facility and in accordance with existing procedures.

C. SIGN OUT PROCEDURES

1. All keys for department vehicles shall be kept locked in a specific area at all work locations. Keys shall only be issued by a supervisory officer or by Facilities Services Division personnel.
2. Department vehicles and vehicle keys shall be signed out on the *Vehicle/Key Sign Out Sheet* (form PM-17). This form, along with a *Radio Assignment Log* (form PR-55), shall be maintained at every work location and shall be reviewed on a daily basis by the respective shift commander, who shall sign his or her name approving same.
3. Department vehicle keys shall be signed out and turned in only to a supervisory officer or Facilities Services Division personnel.
4. Department vehicles that are not in use and unattended shall be kept locked at all times.
5. Department members who are required to park vehicles in the Police Administration Building shall park them in the appropriate parking spaces. If it is necessary to park the vehicles in any other place, e.g., the aisles or ramps, the member shall leave the vehicle unlocked and the keys shall remain in the ignition.
6. No department member shall have possession of a duplicate key for any department vehicle or facility. The only exception would be those members who have an individually assigned vehicle, e.g., motorcycle officers, and then only with the permission of their commanding officer. This does not preclude supervisory personnel from issuing a set of keys to both officers assigned to a vehicle at the time that assignment is made.
7. If a duplicate key is needed utilize the *Request Key Duplication Form* (form PR-7).

640.10 VEHICLE INSPECTIONS

A. MEMBER RESPONSIBILITIES

1. Members assigned a department vehicle shall inspect the vehicle at the beginning of their tour of duty to determine whether it is in serviceable condition. They shall note the general appearance as well as any damage, defects, and items in need of repair or replacement. Members shall, as soon as practicable, report to a supervisor any vehicle or equipment that is in need of repair or replacement. If a member fails to report a defect or damage to a department vehicle, it shall be assumed that the defect or damage occurred during their tour of duty.
2. Members assigned a department vehicle shall inspect the vehicle at the beginning and end of their tour of duty, including before and after any prisoner or citizen is

placed inside the vehicle, to determine whether the vehicle contains any contraband and/or unauthorized items (e.g., weapons, drugs, property intended to be inventoried). The inspection shall include the interior passenger compartment as well as the trunk of the vehicle, if applicable.

Note: It is expected that members – within reason – inspect those areas where contraband or weapons can be secreted. This inspection is vital to officer and citizen safety. In those instances in which contraband or weapons are located in plain view or after a cursory inspection by personnel from a succeeding shift, it shall be assumed that the personnel previously assigned to the vehicle failed to conduct a proper inspection as required.

3. Department members shall ensure that their vehicle is filled with gasoline, oil, and returned in a clean condition at the end of their tour of duty.
4. When a vehicle is taken out of service for repairs, the members assigned shall be responsible for removing department equipment from the vehicle and transferring it to a spare vehicle or securing it in a place designated by the commanding officer/shift commander. No personal items shall be left in the vehicle.

B. MONTHLY INSPECTIONS

1. The commanding officer of all work locations to which fleet vehicles are assigned shall be responsible for assigning a supervisor(s) to be considered the fleet supervisor. This member shall be responsible for the inspection, contents, and equipment of all vehicles assigned to their work location including automobiles, prisoner transport wagons, motorcycles, and watercraft. In addition, they shall ensure that vehicles are maintained in good condition. The Facilities Services Division shall be responsible for the vehicles specifically assigned to them, such as short run and out of town vehicles.
2. The fleet sergeant of each work location shall conduct a monthly inspection of the entire fleet of vehicles assigned to their work location and submit a *Monthly Equipment Checklist* (form PS-10) to their commanding officer noting same.

C. UNANNOUNCED INSPECTIONS

1. Supervisors shall conduct periodic, unannounced inspections of department vehicles for:
 - a. Items of property taken into custody and not inventoried pursuant to SOP 560 Property; or
 - b. Contraband, weapons, drugs, or any other items which may have been placed inside the vehicle by passengers.
2. Supervisors shall record the date, time, and result of these inspections in their memorandum books.

3. Any supervisor who discovers any of the above listed items in a department vehicle shall immediately report this fact to the member's shift commander.
4. Department members assigned to the vehicle at the time any of the above items are discovered may be subject to disciplinary action.

640.15 VEHICLE OPERATIONS – GENERAL (WILEAG 6.1.6)

A. OPERATING REQUIREMENTS

1. No member shall operate a department vehicle without the authorization of a supervisor, except in an emergency.
2. Operators of department vehicles shall, in all instances, operate the vehicle in a safe and courteous manner, comply with all traffic laws and ordinances, and wear seat belts at all times, except when doing so would endanger the safety of the operator or another, or when he/she has provided medical certification that he/she is unable to do so. Any non-department member transported as a passenger shall wear a fastened seat belt.
3. All department members must have in their possession a valid Wisconsin driver's license when operating a department motor vehicle.
4. If a department member has a corrective lens restriction on their driver's license, they are required to wear corrective lenses when operating all department motor vehicles.
5. If a member's operator license and/or vehicle registration is suspended or revoked, the member shall immediately submit a *Department Memorandum* (form PM-9E) report to his/her commanding officer. This report shall specify the duration of the suspension or revocation and be forwarded to the assistant chief or inspector of Police of the member's work location by the member's commanding officer.
6. Except in exigent circumstances, department vehicles shall not be used to push or tow other vehicles.
7. All department vehicles must be properly parked and locked when prompt police action will not be compromised as a result, or as soon as conditions at the assignment scene permit.
8. Department members shall not convey citizens in department vehicles except in conjunction with official business. However, when in the course of their duties police members come upon a victim of a crime or a person who, in their judgment, requires assistance for safety reasons, such person may be transported to a secure location or to the nearest police facility.

B. OPERATION BY CIVILIAN MEMBERS

1. Civilian operators of department vehicles shall not generally use the emergency

- siren or lights except in emergency situations for their safety (e.g., they are involved in a crash).
2. Civilian operators of department vehicles who are summoned by citizens to provide assistance shall:
 - a. Immediately identify themselves as civilian department members having no police powers.
 - b. Ascertain from the Technical Communications Division dispatcher whether or not police assistance has already been requested, and if not, provide the nature and location of the incident.
 - c. If the vehicle is not radio equipped, proceed to the nearest callbox/public telephone and provide the necessary information to the Technical Communications Division.
 - d. Remain at the scene and/or return to the scene to provide additional information to the responding police members. In high risk situations, members are cautioned to remain a safe distance from the scene.
 3. Civilian operators shall not transport firearms in any department vehicle with the exception of Facilities Services Division personnel authorized in the following instances.
 - a. In order to move a vehicle to another parking space at the PAB or other work location.
 - b. In order to drive vehicles to the municipal garage or other facilities for immediate repairs/service, obtain oil changes, car washes, or conduct speedometer checks.

Note: Facilities Services Division personnel authorized to drive a vehicle equipped with a firearm shall remain with the vehicle at all times. If the vehicle is going to be left in the custody of the municipal garage or other facility, they shall ensure that the shotgun or any other firearm is removed from the vehicle prior to being transferred.

C. OPERATION BEYOND CITY LIMITS

1. Department vehicles may be driven beyond the city limits when:
 - a. The police member/operator is in immediate pursuit of a law violator.
 - b. The operator is conducting an investigation of a police related matter (with authorization) or is performing an approved department assignment.
2. Intrastate Travel
 - a. Department vehicles may be operated anywhere in the state of Wisconsin for

specific police purposes when authorized by a district or division commander, or shift commander.

- b. An *Out-of-Town Trip Record* (form PB-6) shall be filed whenever intrastate travel occurs except when in vehicle pursuit or when Facilities Services conveys a vehicle outside the jurisdiction for service.

3. Interstate Travel

Vehicles shall be used for interstate travel in accordance with the following provisions:

- a. A commanding officer authorizes their use.
- b. Except when in vehicle pursuit, an *Out-of-Town Trip Record* (form PB-6) shall be filed whenever interstate travel occurs.

4. Procedure For Out Of Town Travel

- a. All members requesting a police department vehicle for an approved out-of-town trip shall notify the Fleet Services Section a minimum of 24 hours prior to the date and time for which the vehicle will be needed by calling ext. 7514. This will allow Fleet Service Section personnel adequate time to properly prepare and inspect the vehicle for travel.
- b. Before returning an out-of-town vehicle to the Fleet Services Section the member(s) returning said vehicle shall return the vehicle in serviceable condition and shall be responsible for removing all personal property and refuse from the vehicle's interior.
- c. All requests for out-of-town squads/vehicles must be approved by a member of the executive command staff, or their designee, who will affix his/her signature and rank to the "Approved/Denied" portion of the PB-6 report.
- d. Should a department vehicle be involved in a traffic accident, it is the vehicle operator's responsibility to notify the appropriate county sheriff's or municipal police department and report same to their commanding officer as soon as practicable. If the vehicle requires towing, it is to be towed to the nearest dealership authorized to service that make vehicle.

Note: The maintenance garage (MG) will not tow beyond a 30 mile radius of the Milwaukee city limits.

D. OCCUPATIONAL LICENSES

- 1. Police members who have a suspended or revoked driver's license and take the appropriate steps to apply for and obtain an occupational license will be allowed to be a passenger in a department vehicle. Such members shall provide adequate verification of their valid occupational license to their commanding officer, including

any restrictions or special requirements imposed by the Wisconsin Department of Transportation.

2. Police members who have obtained an occupational license may be a passenger in a department vehicle and perform regular patrol duties, not to include driving a department vehicle. In the event of an emergency as defined by Trans 117.09(2)(b), which allows for an "emergency service provider" such as a law enforcement officer to operate a vehicle outside of the hours listed in their occupational license application, members may operate a department vehicle only during the time of such emergency.
3. Police members with a suspended or revoked driver's license who are either ineligible for an occupation license or who fail to provide adequate verification of such to their commanding officer shall be assigned to a beat or administrative desk duties during the period of suspension or revocation.

640.20 VEHICLE SERVICE REQUEST (FORM PV-18)

- A. A *Vehicle Service Request* (form PV-18) shall be used whenever repairs are required on any department motor vehicle or those instances requiring the tow of a department vehicle. This form shall not be used when a vehicle is scheduled for normal maintenance (e.g., oil change, radiator flush)
- B. Supervisors shall verify the need for any repairs or parts in need of replacement. If it appears that the vehicle requires service, the supervisor shall complete a PV-18 and submit it to the shift commander of the work location.
- C. Seriously damaged or inoperative vehicles shall be taken out of service.
- D. Commanding officers or shift commanders shall notify the Facilities Services Division that the vehicle is in need of service.
- E. The Facilities Services Division shall assign personnel to pick up the vehicle from the work location. The yellow copy of the PV-18 form shall be retained at the work location. The white copy of the PV-18 form shall be retained by the Facilities Services Division.
- F. The Facilities Services Division is authorized to substitute vehicles within the limits of prescribed vehicle allocation constraints.
- G. After the vehicle has been serviced or repaired, the vehicle shall be delivered back to the assigned work location. A supervisor at the receiving work location shall indicate on the yellow copy of the Form PV-18 that the vehicle was accepted. The yellow copy shall then be retained at the work location.
- H. If a work location supervisor determines that the vehicle has not been serviced satisfactorily, he/she shall contact the Facilities Services Division for further action.
- I. Supervisors from the Facilities Services Division shall determine whether or not

department vehicles that have not received the proper service shall be accepted. If not, they shall determine the status of that vehicle.

640.25 RESTITUTION RECOVERY REVIEW PACKAGE

A. FORM PR-92

The *Restitution Recovery-Review Package* (form PR-92) shall be used whenever a department vehicle or property was damaged as a result of an act of criminal damage or a crash.

B. MEMBER'S RESPONSIBILITIES

1. Department members observing damage to a department vehicle or property shall immediately notify their supervisor/shift commander.
 - a. Department members investigating damage to a department vehicle or property shall ensure that all necessary reports are filed and, after consultation with their supervisor/shift commander, that photographs documenting the damage have been taken. Any intentional damage to a department vehicle or property shall be prosecuted as a violation of state statute (e.g., Criminal Damage to Property), even if the actor was in custody while committing the damage (restitution cannot be obtained through municipal court).

C. SHIFT COMMANDER'S RESPONSIBILITIES

1. Shift commanders shall ensure that all reports, photographs, and supervisory reports, if applicable, are complete and thorough.
2. After supervisory review, a copy of all reports shall be placed in the *Restitution Recovery-Review Package* (form PR-92).
3. Supervisors reviewing reports concerning damaged department vehicles or property shall check off the appropriate boxes on the form PR-92 envelope and, if applicable, ensure that the vehicle number, not the squad number, is placed in the "PC#" section in the upper right corner.
4. Once all reports have been included in the package, the shift commander shall affix his/her signature in the space provided on the form PR-92 envelope to indicate that all reports are contained within the package.
5. The shift commander shall forward the completed PR-92 form to the Facilities Services Division.
6. Shift commanders shall file a *Department Memorandum* (form PM-9E) report whenever they are notified that police property, other than vehicles, was damaged and immediately forward the report to the Facilities Services Division manager.

D. FACILITIES SERVICES DIVISION

1. All form PR-92 envelopes shall be forwarded to Facilities Services Division personnel as soon as possible and delivered to the Restitution Recovery Section.
2. The Restitution Recovery Section shall process all department damage investigations and shall represent the department in court cases that relate to the recovery of damages in criminal damage to department property and department vehicle crashes.

640.30 SQUAD DAMAGE BOOK

- A. All work locations, which have assigned squads, shall maintain a 3-ring binder for the purpose of recording any damage to any of the assigned vehicles.
- B. The aforementioned binder shall contain one *Damage Record* (form PD-42 or PD-42A) for each squad assigned. In addition, it shall include one *Damage Record* for all spare vehicles, which may be temporarily assigned to the work location.
- C. For each instance of damage to a department vehicle, the investigating supervisor shall record the date, a description of the damage, the vehicle operator, reports filed, and the name of the investigating supervisor on the *Damage Record*. In addition, the supervisor shall indicate the damaged area of the vehicle on the pictorial representation of the *Damage Record*.
- D. In the case of spare cars temporarily assigned to a work location or vehicles, which are dissimilar to the pictorial representation, the required information shall be recorded on the *Damage Record*, but the pictorial representation shall not be used.
- E. When a vehicle is permanently reassigned to another work location, the *Damage Record* shall be transferred to the new work location. If a spare car is permanently assigned to a work location, a new *Damage Record* shall be created for the vehicle, noting all existing damage on the pictorial representation.
- F. The *Damage Record* for a department vehicle shall be kept until the vehicle is permanently taken out of service, at which time it shall be destroyed. The *Damage Record* for spare cars shall be retained for one year.

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A handwritten signature in black ink, reading "Edward A. Flynn". The signature is fluid and cursive, with a long horizontal stroke at the end.

EDWARD A. FLYNN
CHIEF OF POLICE

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